

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application of Doctor Number

Application of Docket Number

09/853339

OTHER THAN

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

FOR		NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))			
TOTAL CLAIMS (37 CFR 1.16(c))	20	minus 20 =	•
INDEPENDENT CLAIMS (37 CFR 1.16(b))	3	minus 3 =	•
MULTIPLE DEPENDENT CLAIM PRESENT			(37 CFR 1.16(d))

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT A	(Column 1)	CLAIMS REMAINING AFTER AMENDMENT	(Column 2)	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))	22	Minus	20	= 2
	Independent (37 CFR 1.16(b))	3	Minus	3	= -
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					

AMENDMENT B

(Column 1)

(Col. 2)

(Column 3)

AMENDMENT B	(Column 1)		(Column 2)		(Column 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA
Total (37 CFR 1.16(c))	*	Minus	**		=
Independent (37 CFR 1.16(b))	*	Minus	***		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					

AMENDMENT C

(Column 1)

(Col. 2)

(Column 3)

AMENDMENT C	(Column 1)	(Column 2)	(Column 3)	(Column 4)	(Column 5)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA
Total (37 CFR 1.16(c))	*	Minus	**		=
Independent (37 CFR 1.16(d))	*	Minus	***		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					

- If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

• If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 • If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 • If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

... If the "Highest Number Previously Paid For IN THIS SPACE is less than 3, enter "3".

This collection of information is required by 37 CFR 1.10. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



3451 *IFW*

60,469-025
OT-4739

UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/853,339
Filed: 5/11/2001
Inventor: Fargo, et al.
Group Art Unit: 3651
Examiner: Tran, Khoi H.
Title: Escalator Support Structure

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner For Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the Notice of Non-Compliant Amendment dated September 14, 2004.

10/26/2004 WANTHONY 00000001 501482 09853389
Sale Ref: 00000001 DA# 501482 09853389
01 FC:1202 36.00 DA

1202



60,469-025
OT-4739

REMARKS

Applicant has listed all claims and added new claims 27-31, which read on the elected species.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

David J. Gaskey, Reg. No. 37,139
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Birmingham, MI 48009
(248) 988-8360

Dated: September 29, 2004

CERTIFICATE OF MAILING

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 29, 2004.

Theresa M. Palmateer

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